



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/553,527

10/17/2005

Helmut Burklin

PF030041

1569

24498

7590

06/25/2008

Joseph J. Laks

Thomson Licensing LLC

2 Independence Way, Patent Operations

PO Box 5312

PRINCETON, NJ 08543

EXAMINER

RUTKOWSKI, JEFFREY M

ART UNIT

PAPER NUMBER

2619

MAIL DATE

DELIVERY MODE

06/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/553,527	Applicant(s) BURKLIN ET AL.	
	Examiner JEFFREY M. RUTKOWSKI	Art Unit 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement filed 10/17/2005 fails to comply with 37 CFR 1.97(c) because it lacks the fee set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered.

Specification

3. The abstract of the disclosure is objected to because it contains legal phraseology. Correction is required. See MPEP § 608.01(b).

Claim Objections

4. **Claims 9-10** are objected to because of the following informalities: It is unclear if the applicant is trying to invoke 112 6th paragraph with a "means of selective transmission". If the applicant is trying to invoke 112 6th paragraph, the "means of selective transmission" should be changed to a "means for selective transmission". Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 1-8** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2619

7. **Claim 1** is indefinite because the phrases “on the one hand” and “on the other hand” do not describe how the transparent bridge interconnects networks. There is not antecedent basis for the phrase “the first bus”. It is also unclear what is meant by a “network affording the said transparent bridge”.

8. **Claim 4**, is indefinite because it is not clear what the applicant is referring to as being “a given method”.

9. **Claim 5**, is indefinite because it is not clear what is meant by the phrase “bus connected” in the storing step. It is also unclear if the applicant is trying to redefine the word “intermediate” to mean “a receipt of a reset”.

10. **Claim 6**, lacks antecedent basis for an entire bus generating a reset because there is no previous recitation of an entire bus generating a reset does not recite an entire bus generating a reset or if a node is generating a reset.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. **Claims 1, 8-10** is rejected under 35 U.S.C. 102(b) as being anticipated by Straub et al. (WO 02/33902), hereinafter referred to as Straub.

13. For **claim 1**, Straub discloses a network where bridges are used to interconnect separate buses [**figures 1 and 2**]. The bridges, WBox1 and WBox2, in Straub’s invention are transparent bridges because the nodes on each bus are not aware that WBox1 and WBox2 are used in the

Art Unit: 2619

network [page 3, lines 10-15]. Straub disclose a situation where bus resets (reset messages) are passed between the busses [page 4 line 30 to page 5 line29]. When several bus resets are received, by a bridge, in short intervals (series of reset messages) only the last reset message received (intermediate reset message) before the grant of a transmission slot is selected for transmission to the other bus. Since Straub's invention does not wait until the final reset message is received, but instead sends reset messages as soon as transmission slot is granted Straub anticipates that the reset messages transmitted from the bridge would include intermediate reset messages.

14. For **claims 8 and 10**, Straub discloses the use of IEEE 1394 buses [figures 1 and 2].

15. For **claim 9**, Straub discloses a bridge WBox1 that has an interface connected to a bus and an interface connected to a HiperLAN network [figures 1 and 2]. Additionally, WBox1 contains a means of selective transmission of reset messages [page 5 lines 1-5].

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

Art Unit: 2619

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

18. **Claims 2, 4 and 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub in view of Hattig (US Pat 6,466,549).

19. For **claim 2**, Straub discloses the use of bus resets in a network. However, Straub does not disclose the cause of a bus reset. Hattig discloses bus resets occur when devices are added or removed (change in the number of nodes in the network) [**col. 1 lines 25-40**]. It would have been obvious to a person of ordinary skill in the art to send reset messages when topological changes occur in Straub's invention to provide plug-and-play capabilities [**Hattig, col. 1 line 23**].

20. For **claim 4**, Straub discloses the use of bus resets in a network. However, Straub does not disclose the cause of a bus reset. Hattig discloses when devices are added and removed a bus automatically reconfigures itself (a given method for phase recognition) [**col. 1 lines 25-28**]. It would have been obvious to a person of ordinary skill in the art to automatically reconfigure a bus in Straub's invention to provide plug-and-play capabilities [**Hattig, col. 1 line 23**].

21. For **claim 6**, Straub does not disclose the simulating the disconnecting of an entire bus. Hattig discloses a solicit action, which is essentially the same as a reset message, may be invoked at the request of an application in need of new or refreshed discovery information [**col. 5 lines 7-21**]. Because the network devices are not actually disconnected when a new solicit action (bus reset) is performed Hattig suggests the simulating the disconnection of an entire bus. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use Hattig's solicit action mechanism in Straub's invention to make sure topology information in a network does not become stale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY M. RUTKOWSKI whose telephone number is (571)270-1215. The examiner can normally be reached on Monday - Friday 7:30-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey M Rutkowski
Patent Examiner
06/12/2008

/Hassan Kizou/
Supervisory Patent Examiner, Art Unit 2619